

**Table XIX**  
**Immigrant and Nonimmigrant Visa Ineligibilities**  
**(by Grounds for Refusal Under the Immigration and Nationality Act)**  
**Fiscal Year 2021\***

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Grounds for Refusal Under the Immigration and Nationality Act		Immigrant		Nonimmigrant	
		Ineligibility Finding <sup>1</sup>	Ineligibility Overcome <sup>2</sup>	Ineligibility Finding <sup>1</sup>	Ineligibility Overcome <sup>2</sup>
203(c)	Failure to fulfill education and work experience requirement for Diversity Visa	327	6	-	-
204(a)(1)(I)	Failure to comply with Diversity Visa requirements/regulations	861	34	-	-
208(d)(6)	Knowingly Made Frivolous Application for Asylum	0	0	0	0
212(a)(1)(A)(i)	Communicable Disease	187	207	20	27
212(a)(1)(A)(ii)	Immigrant lacking required vaccinations	52	31	-	-
212(a)(1)(A)(iii)	Physical or mental disorder	165	118	77	11
212(a)(1)(A)(iv)	Drug Abuser or Addict	686	426	176	58
212(a)(2)(A)(i)(I)	Crime Involving Moral Turpitude	801	383	1,077	473
212(a)(2)(A)(i)(II)	Controlled Substance Violators	292	70	726	374
212(a)(2)(B)	Multiple Criminal Convictions	58	5	87	17
212(a)(2)(C)(i)	Illicit Trafficker in Any Controlled Substance	215	2	517	134
212(a)(2)(C)(ii)	Spouse, Son, or Daughter Who Benefited from Illicit Activities of Trafficker	15	0	134	8
212(a)(2)(D)(i)	Prostitution (within 10 years)	8	6	17	7
212(a)(2)(D)(ii)	Procuring (within 10 years)	2	1	6	2
212(a)(2)(D)(iii)	Unlawful Commercialized Vice	0	1	0	0
212(a)(2)(E)	Asserted immunity to avoid prosecution	0	0	0	0
212(a)(2)(G)	Foreign government officials who have engaged in violations of religious freedom	1	0	1	0
212(a)(2)(H)	Significant traffickers in persons	1	0	6	0
212(a)(2)(I)	Money Laundering	6	1	13	6
212(a)(3)(A)(i)	Espionage, sabotage, technology transfer, etc.	2	0	238	3
212(a)(3)(A)(ii)	Other Unlawful Activity	70	0	46	4
212(a)(3)(A)(iii)	Act to Overthrow U.S. Government	0	0	0	0
212(a)(3)(B)	Terrorist Activities	139	0	230	189
212(a)(3)(C)	Foreign Policy	0	0	0	0
212(a)(3)(D)	Immigrant Membership in Totalitarian Party	27	8	-	-
212(a)(3)(E)(i)	Participants in Nazi Persecutions	0	0	0	0
212(a)(3)(E)(ii)	Participants in Genocide	0	0	0	0
212(a)(3)(E)(iii)	Commission of Acts of Torture or Extrajudicial Killings	0	0	2	1
212(a)(3)(F)	Association with Terrorist Organizations	0	0	0	0
212(a)(3)(G)	Recruitment or Use of Child Soldiers	0	0	1	0

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<b>Grounds for Refusal Under the Immigration and Nationality Act</b>					
212(a)(4)	Public Charge	621	3,104	49	51
212(a)(5)(A)	Labor Certification (immigrants only)	2,968	366	-	-
212(a)(5)(B)	Unqualified Physician (immigrants only)	0	0	-	-
212(a)(5)(C)	Uncertified foreign health-care workers	0	0	0	0
212(a)(6)(B)	Failure to attend removal proceedings	117	13	2	2
212(a)(6)(C)(i)	Misrepresentation	3,175	2,682	2,801	1,290
212(a)(6)(C)(ii)	Falsely claiming citizenship	212	0	257	122
212(a)(6)(E)	Smugglers of aliens	2,108	3,032	475	220
212(a)(6)(F)	Subject of civil penalty (under INA 274C)	0	0	0	1
212(a)(6)(G)	Student visa abusers	0	0	6	1
212(a)(7)(B)	Documentation requirement for nonimmigrants	-	-	149	161
212(a)(8)(A)	Immigrant permanently ineligible for citizenship	0	0	-	-
212(a)(8)(B)	Draft evader	0	0	0	0
212(a)(9)(A)(i)	Ordered removed upon arrival	465	360	541	100
212(a)(9)(A)(i)	Ordered removed upon arrival - multiple removals	191	74	196	10
212(a)(9)(A)(i)	Ordered removed upon arrival - convicted aggravated felony	15	1	30	1
212(a)(9)(A)(ii)	Ordered removed or departed while removal order outstanding	662	580	165	31
212(a)(9)(A)(ii)	Ordered removed or departed while removal order outstanding - multiple removals	144	67	90	14
212(a)(9)(A)(ii)	Ordered removed or departed while removal order outstanding - convicted aggravated felony	95	15	88	14
212(a)(9)(B)(i)(I)	Unlawfully present 181-364 days (within 3 years)	104	60	488	61
212(a)(9)(B)(i)(I)	Unlawfully present 181-364 days (within 3 years) (provisional waiver)	51	52	-	-
212(a)(9)(B)(i)(II)	Unlawfully present 365 or more days (within 10 years)	3,098	4,573	2,122	591
212(a)(9)(B)(i)(II)	Unlawfully present 365 or more days (within 10 years) (provisional waiver)	12,049	11,939	-	-
212(a)(9)(C)	Unlawfully present after previous immigration violations	1,705	1,245	3,835	2,371
212(a)(10)(A)	Practicing polygamist (immigrants only)	4	4	-	-
212(a)(10)(C)(i)	International child abductor	0	0	1	1
212(a)(10)(C)(ii)	Aliens supporting abductors and relatives of abductors	0	0	0	0
212(a)(10)(D)	Unlawful voter	0	0	0	0
212(a)(10)(E)	Former U.S. citizen who renounced citizenship to avoid taxation	0	0	0	0

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<b>Grounds for Refusal Under the Immigration and Nationality Act</b>		<b>Ineligibility Finding<sup>1</sup></b>	<b>Ineligibility Overcome<sup>2</sup></b>	<b>Ineligibility Finding<sup>1</sup></b>	<b>Ineligibility Overcome<sup>2</sup></b>
212(e)	Foreign residence requirement: Former exchange visitors	10	11	16	16
212(f)	Presidential proclamation suspending the entry of any class of aliens	65	75	610	124
214(b)	Failure to establish entitlement to nonimmigrant status	-	-	205,897	3,079
221(g)	Application does not comply with provisions of INA or regulations issued pursuant thereto	176,446	137,378	392,776	296,594
222(g)(2)	Alien in illegal status, required to apply for new nonimmigrant visa in country of alien's nationality	-	-	245	4
243(d)	National of a country denying or delaying accepting an alien	772	511	378	115
22 U.S.C. § 8771	Iranian Citizen Studying in Certain Energy-Related Fields	0	0	99	1
8 U.S.C. § 1182e	Any person who has been directly involved in the establishment or enforcement of forced abortion or sterilization	16	0	106	1
Misc. Executive Orders	Treasury or State Designation for Sanctions	0	0	3	3
Presidential Proclamation 9945	Suspending Admission of Immigrants Who Are Unable to Demonstrate Coverage by or the Ability and Intention to Pay for Appropriate Healthcare	7	6	-	-
22 U.S.C. § 10102	Sergei Magnitsky Rule of Law Accountability Act of 2012	0	0	0	0
Presidential Proclamation 10043	Military-Civil Fusion Proclamation Under INA 212(f)	0	0	1,964	47
Presidential Proclamation 10014	Immigrant Who Presents Risk to the U.S. Labor Market During the Economic Recovery Following the COVID-19 Outbreak	3,905	6,403	-	-
Presidential Proclamation 10052	Nonimmigrant Harm to Labor Market	-	-	1,990	877
2017 E.O. on Immigration <sup>3</sup>	Subject to 2017 Executive Order on Immigration	1,862	4,183	142	593
Sec. 5(a)(1) of the JADE Act	Visa restrictions for certain Burmese nationals under the JADE Act of 2008	0	0	4	0
Sec. 103 Pub. Law 105-227	Disclosure/trafficking of confidential U.S. business information	0	0	0	0

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Sec. 401 Pub. Law 104-114	Helms-Burton refusal	0	0	0	0
Sec. 402 Pub. Law 104-114	Conversion of confiscated U.S. property for gain	0	0	0	0
Sec. 306 Pub. Law 107-173	Inadmissible alien from a country that is a state sponsor of terrorism	0	0	35	0
Sec. 3205 Pub. Law 106-246	Individuals who aided and abetted Colombian insurgent and paramilitary groups	0	0	0	0
Sec. 7031(c), Pub. Law 116-94	Corruption and Gross Violation of Human Rights by Government Officials	0	0	10	6
<b>Total Grounds of Ineligibility:</b>		<b>214,782</b>	<b>178,033</b>	<b>618,944</b>	<b>307,816</b>

<sup>1</sup> The table above reflects the number of unique applications found ineligible for issuance based on a given ineligibility ground during the listed fiscal year. The total of ineligibility findings does not necessarily reflect the number of applications refused because an application may be found ineligible under more than one ground of ineligibility during a fiscal year.

<sup>2</sup> The ineligibilities overcome may not necessarily represent the same ineligibilities recorded in the total of ineligibility findings. A visa may be refused in one fiscal year and the refusal overcome in a subsequent fiscal year. Each action will be separately recorded as part of the appropriate statistical report for the year in which it occurred. A refusal can be overcome by evidence that the ineligibility does not apply, by approval of a waiver, or by other relief as provided by law.

<sup>3</sup> Listed total ineligibility findings pursuant to the 2017 E.O. on Immigration are not directly comparable to refusal counts provided in the Department of State's Quarterly/Monthly Report of Implementation of Presidential Proclamation (P. P.) 9645. Refusal statistics in the Quarterly/Monthly Reports do not include applications subsequently issued, and are reported cumulatively from December 8, 2017, the date of full P. P. 9645 implementation, through the end of the stated reporting period, rather than by fiscal year as in the table above. Counts of monthly new subject applications provided in the Quarterly/Monthly Reports include not only applications found ineligible on P. P. 9645-grounds, as above, but also those issued pursuant to an exception or waiver or refused on non-P. P. 9645 grounds. President Biden signed P. P. 10141 on January 20, 2021, ending the travel restrictions under P. P. 9645.